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OFFICE OF PETITIONS

In re Application of :
Seder et al. :
Application No. 09/833,961 :
Filed: April 11, 2001 :
Attorney Docket No. 371-20-055 :

ON PETITION

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed May 3, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned as a result of petitioner's failure to file a proper appeal brief (and fee required by 37 CFR 1.17(c)) within the time period provided in 37 CFR 1.192(a). As an appeal brief (and appeal brief fee) was not filed within two (2) months of the Notice of Appeal filed July 31, 2003, the appeal was dismissed and the proceedings as to the rejected claims were terminated. See 37 CFR 1.192(b) & 1.197(c). A four-month extension of time under the provisions of 37 CFR 1.136(b) was obtained. As no claim was allowed, the above-identified application became abandoned on February 1, 2004. See MPEP 1215.04. A Notice of Abandonment was mailed on April 6, 2004.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b).

The file is now being forwarded to Technology Center 3700 for further processing.

Telephone inquiries should be directed to the undersigned at (703) 306-0482.

Liana Chase
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy